

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Olivia D. S., <sup>1</sup>	)	C/A No.: 1:23-cv-2398-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Kilolo Kijakazi, Acting	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	
	)	

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Defendant, Kilolo Kijakazi, Acting Commissioner of the Social Security Administration (“Commissioner”), by her attorneys, Adair F. Boroughs, United States Attorney for the District of South Carolina, and Margaret W. Reed, Special Assistant United States Attorney for said district, has moved this court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 17]. The motion represents that Plaintiff’s counsel consents to the granting of the motion. *Id.*

In her brief, Plaintiff argues the ALJ failed to consider fibromyalgia, the combined effect of her impairments, and her subjective allegations in

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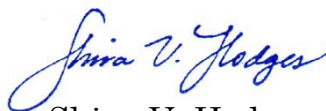
<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

assessing her residual functional capacity. [ECF No. 15]. Counsel for the Commissioner declines to address Plaintiff's specific allegations of error, but indicates in the motion that further evaluation of Plaintiff's claim is warranted. [ECF No. 17-1]. By requesting remand pursuant to sentence four of 42 U.S.C. § 405(g), the Commissioner concedes the agency's final decision is not supported by substantial evidence or the adjudicators failed to apply the proper legal standard in evaluating Plaintiff's case at the administrative level.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner's decision based on the pleadings and transcript of record, and given the parties' request for remand, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and orders remand of the cause to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). The Clerk of Court is directed to enter a separate judgment pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

October 17, 2023  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge